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7 Attorneys for FEDERAL DEPOSIT
INSURANCE CORPORATION,
8 as receiver of Integrity Bank,
a Georgia Banking Corporation,
9 Plaintiff

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12 FEDERAL DEPOSIT INSURANCE
13 CORPORATION, as receiver of Integrity
14 Bank, a Georgia Banking Corporation,

15 Plaintiff,

16 vs.

17 MHG CASA MADRONA HOTEL, LLC, a
18 Georgia Limited Liability Company,

19 Defendant.

20 Case No: CV 09 1895 (PJH)

21 **THIRD CASE MANAGEMENT
CONFERENCE STATEMENT OF
PLAINTIFF
AND ORDER**

22 Date: December 17, 2009

23 Time: 2:00 p.m.

24 Courtroom 3

1301 Clay Street

Oakland, California

1 Plaintiff Federal Deposit Insurance Corporation ("FDIC") files this third case
 2 management statement and recommends that the case management conference be continued
 3 for 60 days. Defendant has not answered the complaint, nor otherwise appeared in this action.

4 On August 10, 2009, the Defendant, MHG Casa Madrona Hotel, LLC filed a petition for
 5 relief under Chapter 11 of the Bankruptcy Code. The commencement of the bankruptcy case
 6 has automatically stayed this action. 11 U.S.C. §362(a). At a hearing on November 12, 2009,
 7 the bankruptcy court granted the FDIC's motion for relief from the stay unless the debtor
 8 (defendant in this case) is able to confirm a plan of reorganization within 120 days. During
 9 that 120-day period the bankruptcy court will continue to exercise jurisdiction over the debtor's
 10 property, acting through a chapter 11 trustee.

11 The receiver appointed by this court has now turned over the property that is the
 12 subject of this action to the trustee appointed by the bankruptcy court. The FDIC has
 13 requested that the receiver file a final accounting with this court and, upon approval of that
 14 accounting, will move the court to discharge the receiver and dismiss the case.

15 Under the circumstances, and plaintiff recommends that the case management
 16 conference again be continued for 60 days.

17 The case management conference is continued to 2/18/10 at 2:00 p.m.

18 Dated: December 10, 2009

Nossaman LLP
 19 John T. Hansen
 James H. Vorhis

21 By: _____ /s/ John T. Hansen

22 John T. Hansen
 23 FEDERAL DEPOSIT INSURANCE CORPORATION,
 24 as receiver of Integrity Bank, a Georgia Banking
 25 Corporation

26 12/16/09



CERTIFICATE OF SERVICE

The undersigned declares:

I am employed in the County of San Francisco, State of California. I am over the age of 18 and am not a party to the within action; my business address is c/o Nossaman LLP, 50 California Street, 34th Floor, San Francisco, CA 94111.

On December 10, 2009, I served the foregoing **THIRD CASE MANAGEMENT CONFERENCE STATEMENT OF PLAINTIFF** on parties to the within action as follows:

- X (By U.S. Mail) On the same date, at my said place of business, a true copy thereof enclosed in a sealed envelope, addressed as shown on the attached service list was placed for collection and mailing following the usual business practice of my said employer. I am readily familiar with my said employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service, and, pursuant to that practice, the correspondence would be deposited with the United States Postal Service, with postage thereon fully prepaid, on the same date at San Francisco, California.

Executed on December 10, 2009.

- (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Sally Gifford

Sally Gifford

1 **SERVICE LIST**

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3 MHG Casa Madrona Hotel, LLC
4 Attention: Guy Mitchell, President
5 4763 Southwest 82nd Street
6 Miami, Florida 33143

7 Tracy Green
8 Wendel, Rosen, Blade & Dean LLP
9 1111 Broadway, 24th Floor
10 Oakland, CA 94607

11 Troutman Sanders, LLP
12 Attention: John E. Bruehner
13 600 Peachtree St., N.E., Suite 5200
14 Atlanta, Georgia 30308

15 Richard A. Rogan
16 Jefers, Mangels, Butler & Marmano LLP
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